

# **ARKANSAS COURT OF APPEALS**

## **PROCEEDINGS OF FEBRUARY 11, 2015**

### **ROBERT J. GLADWIN, CHIEF JUDGE:**

[CR-14-758](#). Carlos Renee Johnson v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Affirmed. Virden and Hixson, JJ., agree.

[CV-14-623](#). Brenda Mode and Calvin Mode v. Arkansas Department of Human Services and Minor Children, from Perry County Circuit Court. Affirmed. Virden and Hixson, JJ., agree.

### **RAYMOND R. ABRAMSON, JUDGE:**

[CV-14-72](#). Jennifer Steele v. John Lyon, from Pulaski County Circuit Court, Twelfth Division. Supplemental addendum ordered. Harrison and Glover, JJ., agree.

### **BART F. VIRDEN, JUDGE:**

[CR-14-123](#). Anthony Donnell Toombs v. State of Arkansas, from Pulaski County Circuit Court, First Division. Affirmed; and remanded for correction of sentencing. Gladwin, C.J., and Hixson, J., agree.

[CR-14-430](#). Darin Tate v. State of Arkansas, from Sevier County Circuit Court. Affirmed. Gladwin, C.J., and Hixson, J., agree.

[CV-14-551](#). Lavan Lawson v. Capital One Signet Bank, Virginia, from Ashley County Circuit Court. Dismissed. Gladwin, C.J., and Hixson, J., agree.

### **BRANDON J. HARRISON, JUDGE:**

[CV-11-1243](#). Ryan Roggasch and Elite Homes of Arkansas, Inc. v. Tasha Sims and John Sims, from Saline County Circuit Court. Rebriefing ordered. Abramson and Glover, JJ., agree.

[CV-14-814](#). K.D. v. Arkansas Department of Human Services, from Pulaski County Circuit Court, Sixth Division. Reversed and remanded. Abramson and Glover, JJ., agree.

### **RITA W. GRUBER, JUDGE:**

[CV-14-878](#). Rebecca Sarut v. Arkansas Department of Human Services and A.B.1, A.B.2, and A.B.3, Minor Children, from Washington County Circuit Court. Affirmed. Kinard and Brown, JJ., agree.

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#### **DAVID M. GLOVER, JUDGE:**

[CV-14-558](#). Coy D. Reece v. Eaton Corporation, Old Republic Insurance Company, Second Injury Fund, and Death and Permanent Total Disability Trust Fund, from the Arkansas Workers' Compensation Commission. Affirmed. Abramson and Harrison, JJ., agree.

[E-13-692](#). TNT Cable Contractors, Inc. v. Director, Department of Workforce Services, and Chris Singleton, from the Arkansas Board of Review. Rebriefing ordered. Abramson and Harrison, JJ., agree.

[E-14-224](#). TNT Cable Contractors, Inc. v. Director, Department of Workforce Services, and Chris Singleton, from the Arkansas Board of Review. Affirmed. Abramson, J., agrees. Harrison, J., concurs.

#### **PHILLIP T. WHITEAKER, JUDGE:**

[CR-13-853](#). David Wade Tennant v. State of Arkansas, from Benton County Circuit Court. Affirmed. Vaught and Hoofman, JJ., agree.

[CV-14-662](#). Christine Stamps v. Teneshia Brown-Epps, from Lee County Circuit Court. Rebriefing ordered. Vaught and Hoofman, JJ., agree.

#### **LARRY D. VAUGHT, JUDGE:**

[CR-13-1030](#). John Everett Block, Jr. v. State of Arkansas, from Hempstead County Circuit Court. Affirmed. Whiteaker and Hoofman, JJ., agree.

[CR-14-642](#). Jimmy Dale King v. State of Arkansas, from Washington County Circuit Court. Affirmed. Whiteaker, J., agrees. Hoofman, J., concurs.

#### **KENNETH S. HIXSON, JUDGE:**

[CV-14-419](#). Ronald Beggs v. Elizabeth M. Beggs, from Pulaski County Circuit Court, Fifteenth Division. Affirmed. Gladwin, C.J., and Virden, J., agree.

[CV-14-899](#). Linda Moore v. Arkansas Department of Human Services and Minor Children, from Craighead County Circuit Court, Western District. Affirmed. Gladwin, C.J., and Virden, J., agree.

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#### CLIFF HOOFFMAN, JUDGE:

[CR-14-689](#). Dijuan Thomas v. State of Arkansas, from Pulaski County Circuit Court, Second Division. Affirmed. Whiteaker and Vaught, JJ., agree.

[CV-14-731](#). Gates Corporation and Gallagher Bassett Services v. Cindy Friend, from the Arkansas Workers' Compensation Commission. Affirmed. Whiteaker and Vaught, JJ., agree.

#### WAYMOND M. BROWN, JUDGE:

[CV-14-203](#). George Brumley v. Arkansas Department of Human Services and Minor Child, from Washington County Circuit Court. Affirmed. Gladwin, C.J., and Vaught, J., agree. Hixson, J., concurs. Harrison and Whiteaker, JJ., dissent.

[CV-14-621](#). Jesse Odean Martin v. Jeri Lin Martin, from Hot Spring County Circuit Court. Affirmed. Kinard and Gruber, JJ., agree.

#### PER CURIAM DECISIONS

**The following cases appealed from the Arkansas Board of Review are affirmed without written opinion pursuant to Supreme Court Rule 5-2(f).**

E-14-489. Brock Weast v. Director et al.

E-14-490. Mattie Davis v. Director et al.

E-14-495. George Pippin v. Director et al.

E-14-496. Robert Patterson v. Director et al.

E-14-497. Tabitha Cook v. Director et al.

E-14-498. Souliya Khantharinh v. Director et al.

E-14-499. Souliya Khantharinh v. Director et al.

E-14-500. Curtiss Lovins v. Director et al.

E-14-501. Doyle Hall v. Director et al.

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E-14-502. Jacqueline Webster v. Director et al.

E-14-503. Danica Eric v. Director et al.

E-14-504. Phillip Gay v. Director et al.

E-14-505. Archer Seals v. Director et al.

E-14-506. Quapaw Area Council, Inc. v. Director et al.

E-14-508. Lionel Hampton v. Director et al.

E-14-509. Janine Brooks v. Director et al.

E-14-510. Tawana Maxwell v. Director et al.

E-14-511. Cosandra Peterson v. Director et al.

E-14-512. David Carr v. Director et al.

E-14-513. Tywana Allen v. Director et al.

E-14-514. Sarah Wheeler v. Director et al.

E-14-515. Patricia Johnson v. Director et al.

E-14-516. Chester Hubbard, Jr. v. Director et al.

E-14-517. Manuel Anderson v. Director et al.

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**PER CURIAM ORDERS**

CR-14-634. Christopher Clemons v. State of Arkansas, from Grant County Circuit Court. Motion of Philip C. Wilson for attorney's fees is granted. Allowed \$1,247.00.

CR-14-1036. Emilio C. Gutierrez v. State of Arkansas, from Sevier County Circuit Court. Appellant's motion to file belated brief is granted. Appellant's brief is due March 13, 2015. Final extension.

CV-14-886. Jimmy L. Frost v. Venessa Frost Pennington, from Drew County Circuit Court. Pro se motion to file belated brief is denied.

CV-14-968. Bobby H. Weatherford et al. v. Arkansas Reclamation Company, LLC, et al., from White County Circuit Court. Appellants' motion to stay briefing schedule is granted.

CV-14-970. Gina Langston Metz v. Thomas Langston, from Sebastian County Circuit Court, Greenwood District. Notice of agreed supplementation of the record on appeal is granted.

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**MOTIONS SUBMITTED**

**PETITION FOR REHEARING:**

CV-14-34. Jose Peraza, Leticia Orellana and Daniel Peraza v. United Financial Casualty Company, from Faulkner County Circuit Court.

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CR-13-1091. Rodrigo Cantu v. State of Arkansas, from Crittenden County Circuit Court. Motion of Brian Williams for attorney's fees.

CR-14-451. Robert Edward Jones v. State of Arkansas, from Crittenden County Circuit Court. Motion of S. Butler Bernard, Jr., for attorney's fees.

CR-14-521. Jeff Dawson v. State of Arkansas, from Crittenden County Circuit Court. Motion of Brian Williams for attorney's fees.

CR-14-653. Ricky Dale White v. State of Arkansas, from Crittenden County Circuit Court. Motion of Brian Williams for attorney's fees.

CV-14-1043. Blaine A. Jackson v. Linda Stratton et al., from Benton County Circuit Court. Pro se motion for rehearing.

E-14-729. Michelle Hatfield v. Director et al., from the Arkansas Board of Review. Pro se motion to add additional evidence.

E-15-69. Frank Shockley v. Director et al., from the Arkansas Board of Review. Pro se motion for belated appeal.

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**CASES SUBMITTED**

CR-13-491. Nicholas Burris v. State of Arkansas, from Union County Circuit Court.

CR-14-163. Robert Kenneth Barber v. State of Arkansas, from Washington County Circuit Court.

CR-14-279. Michael Webb, Jr. v. State of Arkansas, from Drew County Circuit Court.

CR-14-498. Timothy Wayne Cox v. State of Arkansas, from Independence County Circuit Court.

CR-14-541. Kenneth John Stone v. State of Arkansas, from Sebastian County Circuit Court, Greenwood District.

CR-14-556. Dontel Spraglin v. State of Arkansas, from Jefferson County Circuit Court.

CR-14-651. Christopher R. Vaughn v. State of Arkansas, from Howard County Circuit Court.

CR-14-714. Darrell Robertson v. State of Arkansas, from Conway County Circuit Court.

CR-14-839. Kyle Dale Sparkman v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District.

CV-14-265. DLC Properties, LLC v. Carmike Cinemas, Inc., from Baxter County Circuit Court.

CV-14-325. Whitey's Truck Center, Inc. v. Todd Robinson, from Pulaski County Circuit Court, Third Division.

CV-14-337. Oksana G. Hackney v. Josh Hackney, from Pulaski County Circuit Court, Fourteenth Division.

CV-14-480. John David Moore v. Nancy Moore, from Logan County Circuit Court, Southern District.

CV-14-631. City of Siloam Springs v. La-De, LLC; Larry Murauga; and Kathy Murauga, from Benton County Circuit Court.

CV-14-692. Michael Fischer v. Melanie Fischer, from Saline County Circuit Court.

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CV-14-751. Kenneth Ramsey v. Dr. Lawrence Dodd et al., from Garland County Circuit Court.

CV-14-797. Kenneth Earl Youngblood v. Cheryl Youngblood, from Washington County Circuit Court.

CV-14-821. B.D. v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division.

CV-14-860. S.C. v. State of Arkansas, from Craighead County Circuit Court, Western District.

CV-14-887. Robin Cloninger v. Arkansas Department of Human Services and Minor Children, from Conway County Circuit Court.

CV-14-901. Jonathan Lively v. Arkansas Department of Human Services and Minor Children, from Washington County Circuit Court.

CV-14-945. Sharon Sims v. Arkansas Department of Human Services and Minor Children, from Pulaski County Circuit Court, Eighth Division.

### **The following cases are appeals from the Arkansas Board of Review.**

E-14-423. Merdet Term v. Director et al.

E-14-450. Juan Saldana v. Director et al.

E-14-542. Latoryia Gilmer v. Director et al.

E-14-543. LaJuana Van Pelt v. Director et al.

E-14-544. Victoria Health Care v. Director et al.

E-14-545. Carol Williams v. Director. et al.

E-14-546. Kimberly Blalock v. Director et al.

E-14-547. Alice Gulley v. Director et al.

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- E-14-548. Alicia Caldera v. Director et al.
- E-14-549. Brenda Brooks v. Director et al.
- E-14-550. Constance Thomas-Johnson v. Director et al.
- E-14-551. Theodore Berry v. Director et al.
- E-14-552. Jason Thompson v. Director et al.
- E-14-553. Jeffery Beckham v. Director et al.
- E-14-554. Angela Tabor v. Director et al.
- E-14-555. Judy Mathis v. Director et al.
- E-14-556. Carla Cormack v Director et al.
- E-14-557. Linnie Heard v. Director et al.
- E-14-558. Jermail Flennoy v. Director et al.
- E-14-559. Antoine Gage v. Director et al.
- E-14-560. Donis Parker v. Director et al.
- E-14-561. Jeb Ellis v. Director et al.
- E-14-562. William Gates, Jr. v. Director et al.
- E-14-563. Johnny Willcutt v. Director et al.
- E-14-564. Ernesto Ortiz v. Director et al.
- E-14-565. Kevin Stewart v. Director et al.

Opinions are available on the internet at

<http://courts.arkansas.gov>